THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3162 OF 2007

DATED 22nd MARCH, 2007

BETWEEN

P.Madhusudhan Reddy

… Petitioner

AND

The Gudiyanampalli Gram Panchayat, Gudiyanampalli, Penumur Mandal, Chittoor District rep. By its Sarpanch and another.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.3162 OF 2007

ORDER:

The petitioner is allegedly owner of land admeasuring Acs.4.02 in survey No.698, 699, 7001/1 and 700/2 situated at Guntipalli Revenue Village, Penumuru Mandal, Chittoor District. He also obtained pattadar pass books and title deeds (PPBs/TDs) from the Mandal Revenue Officer (MRO). He has dug a bore well with the financial assistance from A.P.State Irrigation Development Corporation (APSIDC) in Government Poramboke land after obtaining necessary permission from the District Collector. He alleges that the first respondent high handedly prevented the petitioner from drawing water from the bore well. Therefore, contending that the Gram Panchayat has no power or jurisdiction to prevent the petitioner from drawing water from the bore well, the present writ petition is filed.

In spite granting sufficient time, learned counsel for Gram Panchayat and learned Assistant Government Pleader did not get instructions. They, however, did not dispute the legal position under A.P.Water, Land and Trees Act, 2002, powers are vested in the MRO to take action against those ryots who dug bore wells without permission. In this case, the petitioner statedly obtained permission of the District Collector and with the assistance of APSIDC dug a bore well in the Government Poramboke, therefore, it is only the MRO who can take necessary action against the action, if so advised. First respondent has no authority to take any action against the petitioner.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

22.03.2007.

pln